

रजिस्टर्ड न० पी०/एस० एम० १४.



# राजपत्र, हिमाचल प्रदेश

## (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

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शिमला, बुधवार, 30 जून, 1982/9 आषाढ़, 1904

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हिमाचल प्रदेश सरकार

HIMACHAL PRADESH VIDHAN SABHA SECRETARIAT

NOTIFICATIONS

*Simla-171004, the 29th June, 1982*

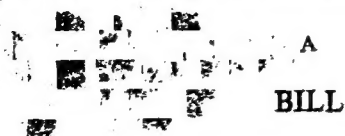
No. 1-45/82-VS.—In pursuance to rule 135 of the Rules of Procedure and Conduct of Business of the Himachal Pradesh Legislative Assembly, 1973, the Himachal Pradesh University (Amendment) Bill, 1982 (Bill No.

6 of 1982) having been introduced on the 29th June, 1982, in the Himachal Pradesh Vidhan Sabha, is hereby published in the Gazette.

V. VERMA,  
*Secretary.*

**THE HIMACHAL PRADESH UNIVERSITY  
(AMENDMENT) BILL, 1982**

(AS INTRODUCED IN THE LEGISLATIVE ASSEMBLY)



**BILL**

*further to amend the Himachal Pradesh University Act, 1970 (Act No. 17 of 1970).*

BE it enacted by the Legislative Assembly of the Himachal Pradesh in the Thirty-third Year of the Republic of India, as follows:—

1. (1) This Act may be called the Himachal Pradesh University (Amendment) Act, 1982.

Short title  
and com-  
mencement.

(2) It shall come into force at once.

2. In section 15 of the Himachal Pradesh University Act, 1970 (hereinafter called the principal Act) for the word "Secretary", the word "Member-Secretary" shall be substituted.

Amendment  
of section 15.

3. In clause (2) of section 20 of the principal Act, the words "and the annual accounts together with the audit report" shall be omitted.

Amendment  
of section 20.

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## STATEMENT OF OBJECTS AND REASONS

Under the existing provisions of the Himachal Pradesh University Act, 1970 and the Statutes, made thereunder, the Registrar of University has been made the *ex-officio* Secretary of the various bodies of the University i.e. the Court, the Executive Council and the Academic Council, but he cannot take part in the deliberations of the said bodies. Since the Registrar plays central and crucial role in the affairs of the University and his practical administrative knowledge and experience can be of great help for the discharge of functions of the aforesaid bodies of the University, it has become necessary to remove the statutory restriction for the Registrar to participate in the deliberations of the aforesaid bodies of the University of which he is the Secretary.

Under clause (2) of section 20 of the Act (ibid) the University Court has the power to consider and pass the resolution on the annual accounts together with the audit report of the University. But there is no provision in sub-section (2) of section 29 of the Act, for the submission of such reports to the Court, and such reports are to be considered by the Executive Council of the University. In order to ensure the quicker submission of the audit report of the University to the State Government and its laying before the State Legislature under section 29 (ibid), it is considered necessary that the provisions for consideration of the audit report of the University by the Court, as exist under section 20 (ibid), should be omitted.

This Bill seeks to achieve the aforesaid objects.

SIMLA:

The 29th June, 1982.

RAM LALL,  
Chief Minister.

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## FINANCIAL MEMORANDUM

For the implementation of the provisions contained in the proposed Bill no extra expenditure out of the State exchequer is required to be incurred.

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## MEMORANDUM REGARDING DELEGATED LEGISLATION

Nil

Simla-171004, the 29th June, 1982

**No. 1-46/82-VS.**—In pursuance to rule 135 of the Rules of Procedure and Conduct of Business of the Himachal Pradesh Legislative Assembly, 1973, the Himachal Pradesh Municipal, (Amendment) Bill, 1982 (Bill No. 7 of 1982) having been introduced on the 29th June, 1982, in the Himachal Pradesh Vidhan Sabha, is hereby published in the Gazette.

V. VERMA,  
Secretary.

Bill No. 7 of 1982

**THE HIMACHAL PRADESH MUNICIPAL (AMENDMENT)**

**BILL, 1982**

(AS INTRODUCED IN THE LEGISLATIVE ASSEMBLY)

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**BILL**

*further to amend the Himachal Pradesh Municipal Act, 1968 (Act No. 19 of 1968).*

BE enacted by the Legislative Assembly of Himachal Pradesh in the Thirty-third Year of the Republic of India, as follows:—

1. (1) This Act may be called the Himachal Pradesh Municipal (Amendment) Act, 1982.

Short title  
and comm-  
encement.

(2) It shall come into force at once.

2. For the existing section 53 of the Himachal Pradesh Municipal Act, 1968 the following section 53 shall be substituted, namely:—

Substitution  
of section  
53.

“53.(1) In places where there is a Government treasury or sub-treasury or a nationalised bank or a co-operative bank or a bank to which the Government treasury business has been made over, the municipal fund shall be kept in any such treasury, sub-treasury, nationalised bank, co-operative bank or bank.

(2) In places where there is no such treasury or sub-treasury or nationalised bank or co-operative bank or bank, the municipal fund may, with the previous sanction of the Deputy Commissioner, be deposited with any banker, or person acting as a banker, and who has given such security for the safe custody and repayment on demand of the fund so deposited as the Deputy Commissioner may in each case think sufficient.

**Explanation.**— In this section the expression “co-operative bank” shall mean a co-operative bank which holds a licence for carrying on banking business issued by the Reserve Bank of India under section 22 of the Banking Regulation Act, 1949.”

### STATEMENT OF OBJECTS AND REASONS

At present there is no specific provision in the Himachal Pradesh Municipal Act, 1968 (Act No. 19 of 1968) to allow the urban local bodies in Himachal Pradesh to maintain their accounts with the co-operative bank. With a view to enable such local bodies to open their accounts in such bank the amendment of the said Act is required.

This Bill seeks to achieve the aforesaid object.

SIMLA :  
The 29th June, 1982.

DAULAT RAM SANKHYAN,  
*Minister-in-charge.*

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### FINANCIAL MEMORANDUM

Nil

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### MEMORANDUM REGARDING DELEGATED LEGISLATION

Nil

Simla-4, the 29th June, 1982

**No. 1-47/82-VS.**—In pursuance to rule 135 of the Rules of Procedure and Conduct of Business of the Himachal Pradesh Legislative Assembly, 1973, the Himachal Pradesh Legislative Assembly (Allowances and Pension of Members) (Second Amendment) Bill, 1982 (Bill No. 5 of 1982) having been introduced on the 29th June, 1982, in the Himachal Pradesh Vidhan Sabha, is hereby published in the Gazette.

V. VERMA,  
Secretary.

Bill No. 5 of 1982

**THE HIMACHAL PRADESH LEGISLATIVE ASSEMBLY  
(ALLOWANCES AND PENSION OF MEMBERS)  
(SECOND AMENDMENT) BILL, 1982**

(AS INTRODUCED IN THE LEGISLATIVE ASSEMBLY)

A

**BILL**

*further to amend the Himachal Pradesh Legislative Assembly (Allowances and Pension of Members) Act, 1971 (Act No. 8 of 1971).*

**BE** it enacted by the Legislative Assembly of Himachal Pradesh in the Thirty-third Year of the Republic of India, as follows:—

**1.** (1) This Act may be called the Himachal Pradesh Legislative Assembly (Allowances and Pension of Members) (Second Amendment) Act, 1982.

Short title and commencement.

(2) It shall and shall always be deemed to have come into force with effect from the 19th day of May, 1982.

8 of 1971

**2.** For the words “from the date on which he takes his oath” occurring in sub-section (1) of section 3 of the Himachal Pradesh Legislative Assembly (Allowances and Pension of Members) Act, 1971 the words “from the date on which he is declared duly elected under the Representation of the People Act, 1951 or if such declaration is made before the vacancy occurs, from the date of occurrence of vacancy” shall be substituted.

Amendment of section 3.

43 of 1951

## STATEMENT OF OBJECTS AND REASONS

At present the Members of Legislative Assembly are entitled to receive compensatory allowance and some other allowances from the date on which they take their oath as Members. This deprives them of these allowances for the period from the dates on which they are declared duly elected under the Representation of the People Act, 1951 to the dates on which they are administered oath/affirmation. There is considerable justification for the payment of these allowances from the dates of the aforesaid declarations.

This Bill seeks to achieve the above-mentioned object.

RAM LALL,  
Chief Minister.

SIMLA :

The 29th June, 1982.

## FINANCIAL MEMORANDUM

Clause 2 of the Bill provides that the Members of Legislative Assembly shall be entitled to draw compensatory allowance from the date on which they are declared to be elected as members of the Legislative Assembly. The additional expenditure has to be incurred only if there is a gap between the aforesaid declarations and the taking of oath/affirmation. The approximate non-recurring expenditure during the current financial year is likely to be of the order of Rs. 54,780/-.

## MEMORANDUM REGARDING DELEGATED LEGISLATION

Nil

RECOMMENDATIONS OF THE GOVERNOR UNDER ARTICLE 207  
OF THE CONSTITUTION OF INDIA

[GAD File No. GAD(PA) 4 (D) 27/82]

The Governor of Himachal Pradesh, having been informed of the subject matter of the Himachal Pradesh Legislative Assembly (Allowances and Pension of Members) (Second Amendment) Bill, 1982, recommends, under Article 207 of the Constitution of India, the introduction and consideration of the Bill in the Legislative Assembly.